

SENATE BILL 3650

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 6 and Title 13, relative to the regulation of
land use investment and development.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 13-7-208(a), is amended by adding the following language at the beginning of subdivision (a)(1):

This section shall be known and may be cited as the "Tennessee Nonconforming Property Act." It is the public policy of this state to protect the owners of private property from the imposition of any new zoning regulations by any governmental agency of this state or its political subdivisions after the property has been legally operating for industrial, commercial, multi-family residential or other business purposes. The scope of private property protections under this section shall run with the land and apply to buildings, structures, land area, operations, facilities, activities, signs, sign structures, billboards, materials, equipment, principal uses and accessory uses legally in existence on the property prior to a change in zoning.

SECTION 2. Tennessee Code Annotated, Section 13-7-208, is amended by deleting subsection (i) and substituting instead the following language:

(i) Notwithstanding subsection (d), any structure rebuilt on the site must conform to the provisions of the existing zoning regulations as to setbacks, height, bulk, or requirements as to the physical location of a structure upon the site, provided that this subsection (i) shall not apply to off-site or on-site signs.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.